

October 2004

CLASSIFICATION DEFINITIONS

EXHIBIT C

CLASS 463, AMUSEMENT DEVICES: GAMES

SECTION I - CLASS DEFINITION

This class includes:

A. Subject matter, relating to the type of amusement, recreation, or play activity commonly known as a game, wherein one or more players or participants engage in a competition or contest involving skill, ability, strategy, or chance--against either another player or players or against a device which is intended to function as a competitive player or players--in order to achieve an objective defined by a rule or rules specified for a particular competition or contest; whereby the ultimate outcome of said objective in such a competition or contest can be determined or indicated according to said specified rule or rules; the exception being that a game which includes or utilizes a tangible projectile--other than a propelled racing game or a chance device, classified herein--is classified elsewhere;

B. A chance device, whether or not a projectile is included therein, and even if it is not a game or subcombination element of a game defined in (A), above, by reason of its similarity to chance devices normally combined with or defining such a game; and a method for using such a chance device for which there is no provision elsewhere;

C. Subject matter relating to the type of amusement, recreation, or play activity commonly known as a puzzle, wherein a participant's mind is tested or otherwise challenged in an exercise of cleverness, ingenuity, or other mental skill or ability in an attempt to accomplish a solution to a complex or perplexing problem;

D. Subject matter relating to the type of amusement, recreation, or play activity commonly known as fortune telling, wherein an attempt is made to predict the future of one or more persons or events;

E. Subject matter relating to a type of device used by a person (often involved in law enforcement) to electrically shock or strike a human being so as to control said being, (e.g., a police club, night stick, black jack, brass knuckles, martial-art-type striking device, electric prod, etc.), or a method of using such a device; and

F. Subject matter which is either ancillary to, appurtenant thereto, or a subcombination of the subject matter described in any one of (A) through (E) above, for which there is no provision elsewhere.

(1) Note. Although a game that uses a tangible projectile is excluded from this class--except for a propelled racing game or a chance device, as set forth in (A), above--a game which simulates a tangible projectile game, without actually using or intending to use a tangible projectile (e.g., a video game with projectile image, light-ray gun, etc.), is classified herein.

(2) Note. Included in this class is a game, chance device, or puzzle, etc., in which a player or participant competes against a means which simulates at least some of the mental processes of another player or participant as, for example, a computer or other gaming machine. However, a general purpose computer in which software is provided so that it is useable to both play a game and to perform a function outside of this class (e.g., word processing, etc.) is classified elsewhere. See the SEARCH CLASS notes in References to Other Classes, below.

(3) Note. Although not generally used during play of a game included in this class, a method or device used by a player to practice or train for such a game is provided for in this class. Since such a practice or training device is designed to enable a player to improve or perfect his or her physical skill or ability (e.g., motor skills, coordination, etc.) in playing the game for which it is designed, it is included in this class on the basis that it is ancillary or appurtenant to a game for which this class provides.

(4) Note. This class does not provide for game scoring or indicating, per se (e.g., register, accumulator, totalizer, etc.), unless it combined with subject matter provided for in this class. In such a case, classification is proper in the subclass providing for the subject matter in this class. See the SEARCH CLASS notes in References to Other Classes, below.

SECTION II - LINES WITH OTHER CLASSES AND WITHIN THIS CLASS

This class is the residual class for the subject matter of

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- 602, Surgery: Splint, Brace, or Bandage, subclasses 41+ for a bandaging device, even though specially adapted for use in supporting the body or body member of a person so as to function in a proper manner in playing a game.
- 700, Data Processing: Generic Control Systems or Specific Applications, subclasses 91 through 93 for data processing or computation, per se, for the purpose of analyzing, monitoring, or scoring a contest or game, which is not classifiable elsewhere.
- 705, Data Processing: Financial, Business Practice, Management, or Cost/Price Determination, subclasses 1+, especially subclass 14 for data processing used for financial or business practice where a promotional inducement is recited (e.g., awarding a coupon or price adjustment based upon a purchase, etc.), and subclass 16, for a point-of-sale terminal, e.g., cash register, etc.
- 902, Electronic Funds Transfer, subclass 23 for an art collection of means for electronic transfer of funds for an entertainment, amusement, or gambling application.
- D21, Games, Toys, and Sports Goods, subclasses 300+ for a game design.
- means. See the SEARCH CLASS notes below for scoring, per se, absent further game structure.
- (2) Note. A game that utilizes data processing via electromagnetically operated relays or the like for binary logical operations is considered to be electronic data processing for this and indented subclasses.
- (3) Note. Processing of data in electronic form is to be distinguished from mere electrical control (e.g., on/off actuation, etc.), or an electrical source, supply, or energization.

SEE OR SEARCH CLASS:

- 116, Signals and Indicators, subclasses 222 through 225 for a mechanical signal or indicator, per se, which is intended to form part of or to be used with a game device.
- 200, Electricity: Circuit Makers and Breakers, for an electrical switch, per se, especially subclasses 61.1+ for a switch responsive to the action of a game or amusement piece, Digest 2 for a body attached switch, Digest 3 for a coin operated switch, and Digest 23 for a game switch.
- 235, Registers, for a register, per se, intended for use in a game, particularly subclass 1 for a miscellaneous game counter; subclass 61 for an odds computer; subclass 78 for a game calculator having concentric totalizing disks mounted upon a single axis; subclass 88 for a game calculator having tabular indicia placed upon disks which rotate about their centers; subclass 90 for a cribbage board; subclass 91 for a device for operating a register involving a billiard or pool game device; and subclasses 439+ for a coded record sensor structure (e.g., bar code reader, etc.).
- 250, Radiant Energy, subclass 203.5 for cathode ray tube (target) scanning; subclasses 206+ for a photocell controlled circuit; subclass 227.13 for a light pen; and subclasses 222+ for an optical or prephotocell system con-
- SUBCLASSES**
- 1 INCLUDING MEANS FOR PROCESSING ELECTRONIC DATA (e.g., computer/video game, etc.):**
This subclass is indented under the class definition. Subject matter including: (a) means for systematically manipulating information in electronically coded form in accordance with a program or other set of rules; (b) means including or utilizing electronic logic or calculation; (c) electronically self-acting or self-regulating means for producing a desired response to a predetermined condition; or (d) a subcombination thereof or accessory therefor that is unprovided for elsewhere.
- (1) Note. Scoring, per se, is included herein only if combined with other game structure. The combination of electronic scoring means with nonelectronic game structure is originally placed in this or indented subclasses according to the game played when there is no provision for the electronic details of the scoring

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